

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

TIMOTHY D. STAPP,

Plaintiff,

v.

ELIZABETHTON POLICE DEPT., et al.,

Defendants.

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No. 2:21-CV-162-CLC-CRW

JUDGMENT ORDER

For the reasons set forth in the Memorandum Opinion filed contemporaneously with this order, Plaintiff's pro se complaint for violations of 42 U.S.C. § 1983 is **DISMISSED** pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Plaintiff is **ASSESSED** the filing fee of \$402.00, and the custodian of Plaintiff's inmate trust account is **DIRECTED** to submit payments toward the filing fee in the manner set forth in the Memorandum Opinion. The Clerk is **DIRECTED** to provide a copy of the Memorandum Opinion and this order to the Court's financial deputy and the Warden of the Whiteville Correctional Facility.

Because the Court **CERTIFIED** in the Memorandum Opinion that any appeal from this Order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24. The Clerk is **DIRECTED** to close the file.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT:
LeAnna R. Wilson
Clerk of Court